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July 19, 2004

JUL 27 PM 2:54  
2004

**COMMISSIONER FOR PATENTS**  
**P.O. BOX 1450**  
**ALEXANDRIA, VA. 22313-1450**

Dear Commissioner for Patents,

I am requesting a refund of the \$55 that was sent to the PTO on 6/22/04 in money order. The money order identification serial number is: **06647163715**. The money order was for a petition for extension of time to respond to the notice of non-compliant amendment (37 CFR 1.121) received on 6/19/04. Because my response was sent via Express Mail (**ED 190056330US**) and had a certificate of express mailing (6/21/04) there was no need for a petition for extension of time because the office received the response well within the 1 month time limit for response.

As such please send the refund to:

**FRANZ A. WAKEFIELD**  
**COOLTVNETWORK.COM, INC.**  
**17731 NORTH WEST 14<sup>TH</sup> COURT**  
**MIAMI, FLORIDA 33169**  
**VOICE: 305 + 624.3282**

Thank You In Advance

Franz A. Wakefield

**President & Chief Product Design Engineer**  
**COOLTVNETWORK.COM, INC.**  
**17731 NORTH WEST 14<sup>TH</sup> COURT**  
**MIAMI, FLORIDA 33169**

**APPLICATION NUMBER:** 09/877,729  
**FILING DATE:** 6/8/00 & 6/8/01  
**FIRST NAMED INVENTOR:** FRANZ A. WAKEFIELD  
**ART UNIT:** 2174  
**EXAMINER NAME:** BORIS M. PESIN  
**ATTORNEY DOCKET NUMBER:** 083174

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DEP & REF  
PATENT AND TRADEMARK OFFICE  
DIVISION Room: 307  
PTO/SB/21 (04-04)

Under the Paperwork Reduction Act of 1995, no.

is required to respond to a collection of information unless it displays a valid OMB control number.  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

2

|                        |                           |
|------------------------|---------------------------|
| Application Number     | 09/877,729                |
| Filing Date            | 6/8/00 8 6/8/04 JUL 27 PM |
| First Named Inventor   | FRANZ A. Wakefield        |
| Art Unit               | 2174                      |
| Examiner Name          | BORIS M. PESIN            |
| Attorney Docket Number | 083174                    |

2: 54

### ENCLOSURES (Check all that apply)

|  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance communication to Technology Center (TC)        |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input type="checkbox"/> Amendment/Reply                                     | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Power of Attorney, Revocation                    | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Change of Correspondence Address                 | <input type="checkbox"/> Other Enclosure(s) (please identify below):                    |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Terminal Disclaimer                              |   |
| <input type="checkbox"/> Information Disclosure Statement                    | <input checked="" type="checkbox"/> Request for Refund                    |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              | <input type="checkbox"/> CD, Number of CD(s) _____                        |   |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application   |   |   |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |   |

#### Remarks

Request for Refund for Petition for Extension of time, which is NOT NECESSARY because the PTO received the response to non-compliant amendment within the 1 month period allotted.

Thank you.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                         |                         |
|-------------------------|-------------------------|
| Firm or individual name | COOLTVNETWORK.COM, INC. |
| Signature               | FRANZ A. Wakefield.     |
| Date                    | 6/19/04                 |

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

|                       |                     |
|-----------------------|---------------------|
| Typed or printed name | FRANZ A. Wakefield. |
| Signature             |                     |
|                       | Date 6/19/04        |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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O P E  
JUN 25 2004  
JJC  
PTO/SB/22 (08-03)  
U.S. Patent and Trademark Office  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.  
ENT & TRADES PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

|   |  |  |
|---|--|--|
| PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)  |  | Docket Number (Optional) <u>083174</u> |
| In re Application of <u>FRANZ A. Wakefield</u><br>Application Number <u>09/877,729</u> Filed <u>6/8/00</u> & <u>6/8/01</u><br>For <u>Method and system for creating,...</u><br>Art Unit <u>2174</u> Examiner <u>Jordan S. Golinkoff</u> |  |  |

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- |   |                  |
|---|------------------|
| <input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1)) | \$ <u>110.00</u> |
| <input type="checkbox"/> Two months (37 CFR 1.17(a)(2))           | \$ _____         |
| <input type="checkbox"/> Three months (37 CFR 1.17(a)(3))         | \$ _____         |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4))          | \$ _____         |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5))          | \$ _____         |

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 55.00.

MONEY ORDER.

A check in the amount of the fee is enclosed.

- Payment by credit card. Form PTO-2038 is attached.
- The Director has already been authorized to charge fees in this application to a Deposit Account.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number \_\_\_\_\_.

I have enclosed a duplicate copy of this sheet.

I am the  applicant/inventor.

- assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).
- attorney or agent of record. Registration Number \_\_\_\_\_
- attorney or agent under 37 CFR 1.34(a).  
Registration number if acting under 37 CFR 1.34(a) \_\_\_\_\_

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

6/22/04

Date

305 + 624.3282

Telephone Number

Signature

FRANZ A. Wakefield

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.136(e). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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06/29/2004 MBERHE 00000111 09877729

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55.00-0P-

Refund Ref:

08/25/2004 EEKUBAY1 0000138362 ME

Adjustment date: 08/25/2004 EEKUBAY1

06/29/2004 MBERHE 00000111 09877729  
01 FC:2251 -55.00-0P-

CHECK Refund Total: \$55.00

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